

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6704

BILL NUMBER: SB 286

DATE PREPARED: Dec 12, 2000

BILL AMENDED:

SUBJECT: Curfew for Minors.

FISCAL ANALYST: Sherry Fontaine

PHONE NUMBER: 232-9867

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill adds additional exemptions to the juvenile curfew law. The bill extends the juvenile curfew to the hours of 5 a.m. to 2 p.m. on a day when school is regularly in session. The bill also requires a juvenile court to order that a parent, guardian, or custodian participate with a child in rehabilitation related to a violation of the juvenile curfew law. It makes it a Class A misdemeanor for an adult to recklessly aid or cause a person to commit a delinquent act. It also establishes a rebuttable presumption that a parent, guardian, or custodian has caused a delinquent act if the person fails to provide for an adult to accompany a child while the child is in a public place between 5 a.m. and 2 p.m. in violation of the juvenile curfew law.

Effective Date: Upon passage.

Explanation of State Expenditures:

Explanation of State Revenues: This bill makes it a Class A misdemeanor for an adult to recklessly aid or cause a person to commit a delinquent act. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class A misdemeanor is \$5,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: A Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law

enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: